

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED FOOD AND COMMERCIAL : CIVIL ACTION  
WORKERS, LOCAL 1776 :  
: NO. 08-2720  
v. :  
ACME MARKETS, INC. :

**ORDER**

**AND NOW**, this 25th day of June, 2009, upon consideration of Defendant Acme Markets, Inc.'s Motion for Summary Judgment (Document No. 14) and the Motion for Summary Judgment of United Food and Commercial Workers, Local Union 1776 (Document No. 15) and the respective responses to the motions, it is **ORDERED** that the motions are **DENIED**.

**IT IS FURTHER ORDERED** that this action is remanded to Arbitrator Ernest Weiss for the sole purpose of clarifying the scope of his award.

/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.